

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation
or Suspension of the Educator
Certificate of Jessica L. Wheeler
Certificate # 192754

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**ORDER OF ACCEPTANCE OF
VOLUNTARY SURRENDER**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on August 12, 2003. On July 29, 2003, the South Carolina Department of Education (Department) sent written notice to Jessica L. Wheeler of the possible suspension or revocation of her South Carolina Educator certificate (certificate) by certified mail, return receipt requested, delivery restricted to addressee. Ms. Wheeler received the notice as evidenced by a postal receipt bearing her signature. Ms. Wheeler did not request a hearing, but did send a letter to the Department in which she expressed her desire to surrender her certificate. This surrender will be reported as required to the NASDTEC clearinghouse and all school districts in South Carolina, as a voluntary surrender on the grounds of unprofessional and immoral conduct. After considering the evidence presented by the Department, the State Board voted to accept the voluntary surrender of Ms. Wheeler's certificate, effective August 12, 2003.

Ms. Wheeler is certified educator with over four years of teaching experience. She was employed by the Horry County School District (District) for the 2002-2003 school year as a special education teacher at Carolina Forest High School. On May 5, 2003, a student at the school told a teacher that her boyfriend and Ms. Wheeler had a sexual relationship in the fall of 2002 ending in January 2003. The male student admitted this relationship to his new girlfriend in April 2003. The female student brought this matter to the attention of the other teacher after Ms. Wheeler began giving her dirty looks in the hallway. She was present on many other occasions when Ms. Wheeler would call him or send him a text message. When questioned by the principal, the male student admitted the relationship and drew an accurate diagram of Ms. Wheeler's bedroom. Other staff members and the male student's mother were previously concerned with the amount of time Ms. Wheeler spent alone with the student while she was supposed to be tutoring him. On June 5, 2003, the District placed Ms. Wheeler on administrative leave with pay, until the District's investigation was completed. On June 17, 2003, Ms. Wheeler submitted her resignation. In a letter to State Superintendent Inez Tenenbaum dated August 6, 2003, Ms. Wheeler denied the sexual relationship but voluntarily surrendered her certificate. In her letter Ms. Wheeler stated she resigned to move closer to her family and start a new life outside of teaching.

CONCLUSIONS OF LAW

“The South Carolina State Board of Education may, for just cause, either revoke or suspend the certificate of any person.” S.C. Code Ann. § 59-25-150 (1990). Just cause includes: *unprofessional conduct, immorality, and any conduct involving moral turpitude*, S.C. Code Ann. § 59-25-160 (1990); 24 S.C. Code Ann. Regulation 43-58 (1992). The State Board finds that the preponderance of the evidence presented by the Department, supports its decision to accept the voluntary surrender of Ms. Wheeler’s teaching certificate, effective August 12, 2003.

South Carolina State Board of Education

By: /S/ Greg Killian
Greg Killian
Chair

Columbia, South Carolina
August 12, 2003